

REMARKS

Claim 1 is amended to recite that “said film-covered battery characterized in that the portion of said joint section without both ends is formed with at least one fold” and claim 6 is amended to recite that “said film-covered battery characterized in that the portion of said joint section without both ends is formed with a plurality of folds.” Support for this amendment can be found at, for example, page 13, lines 12-23 and Figure 11 of the present specification.

Claims 1-11 are pending and claims 8-11 are withdrawn.

On page 3 of the Office Action, claims 1-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over “Takahiro” (JP 2002-319374) (machine translation) in view of “Yamazaki” (U.S. Patent No. 6,632,538).

The Examiner cites Takahiro as teaching all of the requirements of claims 1 and 6, except the Examiner acknowledges that Takahiro does not teach that the fold has a thickness of the heat-seal resin layer smaller than a thickness of the heat-seal resin layer around it. The Examiner relies on Yamazaki to teach a battery case containing a battery with tabs projecting outside from the case, the heat-adhesive resin layer may be improved by reducing the thickness of the adhesive layer. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to form the fold in the battery of Takahiro with a thickness of the heat-seal resin layer smaller than a thickness of the resin layer around it by reducing the heat-seal resin layer in the manner described by Yamazaki, because Yamazaki teaches that this can improve the barrier properties of the case.

Applicants respectfully submit that claims 1, 6, and claims dependent thereon are non-obvious over the cited references, because the cited references do not teach each and every recitation of present claims 1 and 6. For example, regarding independent claim 1, the cited

references do not teach or suggest “said film-covered battery characterized in that the portion of said joint section without both ends is formed with at least one fold.” Regarding independent claim 6, the cited references do not teach or suggest “said film-covered battery characterized in that the portion of said joint section without both ends is formed with a plurality of folds.”

A fold is generally formed by thermal compression. If the fold is formed at the both ends of the joint section, the heat-seal resins will be forced out of both ends of the joint section by thermal compression. The heat-seal resin that is forced out will cause a loss of accuracy in the form factor of the film covered battery.

In contrast, in the invention described in present claims 1 and 6, the fold does not form at both ends of the joint section. Therefore, the accuracy in the form factor of the film covered battery is constantly maintained.

Therefore, Applicants respectfully submit that claims 1, 6, and claims dependent there are non-obvious over the cited references. Reconsideration and withdrawal of the § 103 obviousness rejection are respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 10/574,562

Attorney Docket No.: Q94297

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

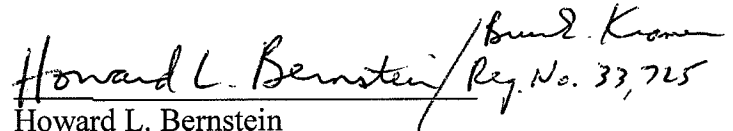
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

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Howard L. Bernstein
Registration No. 25,665